

**REMARKS**

Claims 1-11 are all the claims currently pending in this Application.

Claims 1 and 10(1) are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Cannon. Claims 6(1) and 7(1) are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Cannon and Apffel (U.S. 5,705,813). Claims 2, 3, and 4 are rejected under 35 U.S.C. § 102(a) over Cannon and Baba ("Sixth International Conference on Miniaturized Chemical and Biochemical Analysis Systems" (Micro Total Analysis Systems, 2002) 11-3-2002, Vol. 2, pp. 763-765).<sup>1</sup> Claims 5(1), 8(1), and 9(1) are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Cannon and Pare (U.S. 5,732,476). Claims 6(2, 3) and 7(2, 3) are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Cannon, Baba, and Apffel. Claims 5(2, 3), 8(2, 3), and 9(2, 3) are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Cannon, Baba, and Apffel. Claims 10 (2, 3) and 11 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Cannon, Baba, and Apffel.

Regarding claim 1, Applicants submit that Cannon fails to teach "a sample drying area, disposed at an end of said channel and having an opening communicating with said channel, wherein said sample drying area comprises a fine channel narrower than said channel".

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<sup>1</sup> We note that while the Office Action lists these claims as rejected over Cannon and Sano, the Examiner previously indicated that "Sano" is a reference to the above-mentioned Baba article which is co-authored by Sano. We also understand that the reference to 35 U.S.C. § 102(a) is a typographical error and that the Examiner intended to reject these claims over these reference under 35 U.S.C. § 103(a).

Cannon is generally directed to a device for moving small (“micro”) amounts of liquid to be evaporated. Figure 1, to which the Examiner refers, illustrates a reservoir 2 in communication with a fine circulating path 1 having an outlet port 3 at which the liquid is evaporated.

The liquid reservoir 2 of Cannon is just that: a reservoir<sup>2</sup>, and one of skill in the art would not consider this to be a channel in which a sample flows. Cannon does provide a fine circulating path 1. However, there is no sample drying area provided at an end of this path which comprises a fine channel narrower than the fine circulating path.

Therefore, Applicants submit that Cannon fails to disclose the present invention as recited in claim 1. Applicants further submit that the additional cited references fail to remedy this deficiency. Therefore, Applicants submit that claim 1 is patentable and that claims 2-11 are patentable at least by virtue of their dependencies. Applicants respectfully request that the current claim rejections be reconsidered and withdrawn.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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<sup>2</sup> “a place where something is kept in store: as a: an artificial lake where water is collected and kept in quantity for use b: a part of an apparatus in which a liquid is held” Merriam Webster

**RESPONSE UNDER 37 C.F.R. § 1.111**  
Application No.: 10/536,767

**Q88071**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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